



**STATE OF MONTANA
SECRETARY OF STATE'S OFFICE
JOB PROFILE AND EVALUATION**

SECTION I - Identification

Working Title: UCC Process Specialist

Department: Secretary of State

Class Code Number: 434313

Division: Business Services Division

Class Code Title: License Permit Technician

Section/ Unit: UCC Unit

Pay Band: 3

Work Address:

1301 E. 6th Ave.
Helena, MT 59601

Position Number: 66060

Phone: 444-2468

☐ FLSA Exempt

☒ FLSA Non-Exempt

Profile Completed By: Tana Gormely

Work Phone: 444-2896

Work Unit Mission Statement or Functional Description:

The Secretary of State is one of six executive branch officers originally designated by the Montana Constitution of 1889. The duties of the secretary of state include: interpreting state election laws and overseeing elections; maintaining the official records of the executive branch and the acts of the legislature; reviewing, maintaining, and distributing public-interest records of businesses and nonprofit organizations; filing, publishing, and maintaining administrative rules adopted by state departments, boards and agencies; attesting to the governor's signature on executive orders, proclamations, resolutions, extradition papers, and appointments; preserving the state seal; filing and maintaining records of secured financial transactions, such as liens; serving on the state Board of Land Commissioners and the Board of Examiners; and commissioning notaries public. The Secretary of State's Office is divided into four Divisions: Elections, Business Services, Management Services and Administrative Rules, and Records Management.

The Business Services Division's mission is to serve the business community of Montana and other states and countries by ensuring the accurate and efficient filing, retention, and certification of business documents. The Secretary of State's Office works for and with its customers, continuously striving to improve service. Our office strives to provide responsive and responsible service to our customers with a commitment to continuous improvement, new ideas, and innovative approaches.

Business Services Division staff discharge the duties of the Secretary of State to provide a central processing and evaluation point for business registrations. The staff reviews, approves, maintains, and distributes records of business and non-profit organizations.

TO PROVIDE QUALITY CUSTOMER SERVICE. In an ongoing effort to provide services to the customer of the Secretary of State, the office strives to promote an environment that nurtures and enhances the entrepreneurial spirit of Montana. In achievement of this mission, the Secretary of State advances the principle that government should work for and with its customers. Always striving to improve, not impede the process.

Describe the Job's Overall Purpose:

The Process Specialists is an integral part of the UCC compliance unit and therefore is called upon to perform an examination of submitted Uniform Commercial Code Liens and perform verification procedures to accept or reject filings. The filing of these liens requires a 8 hour turnaround and the failure of the unit to timely provide these services could result in a multi-million dollar liability to the office as well as causing extreme problems for Montana agribusiness communities. This position is supervised by the UCC Administrator 66033 and does not directly supervise other agency personnel.

Uniform Commercial Code Revised Article 9 Secured - Transactions, provides the rules governing transactions that couples a debt with a creditor's interest in a debtor's personal property to satisfy that debt. The creditor's interest is called a "security interest" To perfect that security interest the creditor must file a lien with the Secretary of State's office. Revised Article 9 relies on the public record because it provides the means for creditors to determine if there is any security interest that precedes theirs--a notice function

<i>SECTION II - Major Duties or Responsibilities</i>	<i>% of Time</i>
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A. Compliance	<u>65%</u>
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1. Conduct completion of a comprehensive examination and review of liens
 - a) Verify compliance with MCA, federal laws and Rules for content requirements.
 - b) Verify compliance with MCA and federal time lines.
 - c) Insure liens comply to protect creditors and debtors.

2. Correct errors - Lien requirements demand prompt processing, regulations necessitate a 8 hour turnaround for filings. Liens are the result of what can be a major financial transaction between a lender(s) and a borrower(s). The filing of a lien with this office and access to this information by appropriate parties significantly reduces the risk so creditors are not defrauded. Staff performing compliance examinations of these liens and the verification of system information must perform exacting procedures and assure timely remedies are taken when required.
 - a) Provide instructions on proper completion of forms.
 - c) Answer public questions regarding proper filing of liens.

3. Filing Types
 - a) Agricultural liens
 - b) Consumer liens
 - c) Federal Tax liens
 - d) UCC liens
 - e) Title 71 Statutory liens
 - f) Transmitting Utility liens
 - g) Child Support liens
 - h) Manufactured Home Transaction liens
 - i) Public Finance Transaction liens

4. UCC Search System and On-Line Filing System

Users may register through Montana Interactive to retrieve specific lien information or file new liens on line through two separate web based applications. The UCC unit is the primary contact regarding information appearing in this applications.

- a) Employee is responsible for working closely with registered users to assist them in understanding the functionality of these web based systems. The employee must respond to questions that arise regarding these applications such as how to successfully file a lien electronically or how to create and download a debtor search certificate.

B. Orders

20%

Customers may submit in writing a request for lien information against a specific borrower and/or copies of lien documents. The unit must precisely reflect the information on the system. Then verify the results printed by the system during a nightly batch job. If the material is correct the order is mailed to the requesting party. The liens reflected in the order provides the creditor with the necessary information for basing their loan decision. Therefore, it is critical the information in the order be accurate.

C. Farm Bill

2%

The Federal Food Security Act of 1985 gives buyers of farm products, commission merchants and selling agents the opportunity to register for a listing of security interests in farm products. Failure to register makes the buyer liable for payment of the security interest. In order to get clear title, buyers of farm products must register with our office for the farm products they buy for every county and crop year from which they purchase farm products.

The Secretary of State's office compiles the information and produces a Master List on the 15th of every month. It is the responsibility of the employee to check the accuracy of the Master list and mail the List to our 200 plus registered buyers no later than the 20th of each month.

D. Verification of Documents

8%

Every filed UCC document receives an acknowledgement letter. It is the responsibility of the employee to check the system generated acknowledgement letter against the actual document to insure 1) the information is displayed correctly and 2) the customer receives their letter acknowledging the filing of their lien or amendment.

E. Other Duties as Assigned

5%

This position performs a variety of other duties as assigned by the supervisor in support of the agency mission and work unit objectives. This includes exchanging information with agency staff and the public; providing professional assistance; participate on special projects as assigned; participating in ongoing training and educational programs; and performing a variety of other duties as assigned.

1. Give specific examples of the types of problems solved, decisions made or procedures followed when performing the most frequent duties.

Revised Article 9 is not simple. There are substantial exceptions to the perfection rules. The UCC unit plays an important role in understanding these exceptions. The handling of liens determines whether a creditor will have a perfected lien against a debtor's property. It is the

employee's responsibility to assist the creditor's in perfecting their liens. The employee is also responsible for working closely with borrowers (debtors) in helping them understand security interests recorded with our office. We provide them with the information necessary to determine the creditor holding the security interest and the property subject to the security interest.

An example, a debtor contacted our office complaining that the creditor's name appeared on their check in addition to their name. After an extensive and complicated search of our records it was determined the collateral the debtor had sold was not subject to a security interest. The employee contacted the creditor who had issued the check. Upon advice from our office, the creditor reissued a check to the debtor for the products sold.

2. What do you consider the most complicated part of the job?

There is considerable stress in complying with numerous deadlines, customer requests, interruptions and wide fluctuations in work volumes. Due to the importance of these liens the employee is required to have no more than a 2% error ratio in addition to meeting the 8 hour turn around time required by law.

3. What guidelines, manuals or written established procedures are available to the incumbent?

The Montana Code Annotated Title 30, Chapter 9.

The Montana Code Annotated Title 71.

The USDA Federal Food Security Act Manual.

The Administrative Rules of Montana.

Training manual created and provided by the supervisor of the unit.

On-line system help menu for accessing and using the UCC system.

4. Which of the duties and/or specific tasks listed under 1. (above) are considered "essential functions" that must be performed by this position (with or without accommodations)?

The following duties are considered essential functions because they require specialized expertise and skill and are the primary reasons the job exists:

Duty A: Compliance

Duty B: Orders

Duty C: Verification of Documents

PHYSICAL

- Light lifting (less than 25 lbs.)
- Carry light items (papers, books, small parts)
- Remaining seated for extended periods of time, with occasional walking; standing; bending
- Operating a personal computer
- Communicate in writing, in person, and over the phone

MENTAL

- Deal with the public on a regular basis
- Ability to multi-task
- Demands for accuracy in all aspects of work
- Ability to meet inflexible deadlines
- Computing arithmetic operations
- Comparing data
- Compiling information
- Analyzing, Synthesizing
- Coordinating
- Instructing

6. Does this position supervise others? ☐ Yes ☒ No

Number directly supervised: 0

Complexity level of the positions supervised:

Position Number(s) of those supervised:

7. This position is responsible for:

- | | | | |
|---|---------------------------------|--------------------------------------|-------------------------------------|
| <input type="checkbox"/> Hiring | <input type="checkbox"/> Firing | <input type="checkbox"/> Supervision | <input type="checkbox"/> Pay Level |
| <input type="checkbox"/> Performance Management | | <input type="checkbox"/> Promotions | <input type="checkbox"/> Discipline |
| <input type="checkbox"/> Other: | | | |

8. Attach an Organizational Chart.

SECTION III - Minimum Qualifications - List minimum requirements for the first day of work.

Critical knowledge and skills required for this position:

Employee must be proficient on a computer, including typing no fewer than 40 wpm, and have considerable knowledge and experience working with window based applications, including web-based applications.

Employee must have ability to be trained in operating and maintaining office equipment.

Employee is responsible for retrieving and prepping boxes containing UCC documents and correspondence for record retention. Boxes weigh as much as 25 lbs.

Employee should have familiarity with how to find read and interpret state and federal statutes, rules and regulations.

Employee should have the ability to communicate relevant and often complex information to customers.

Employee should have ability to prioritize work and focus on details.

Employee must be able to perform complex procedures and compliance reviews in a very condensed time frame. To perform these duties the employee must be detailed oriented, possess a proficiency and desire to resolve issues on their own.

Employee must have ability to relate daily work to finished product to foresee problems and develop solutions.

Behaviors required to perform these duties?

- **Verbal Communication:** Keeps appropriate individuals informed. Listens to others respectfully, understands or seeks clarification, and responds appropriately demonstrating tact and diplomacy. Expresses thoughts and ideas clearly. Maintains a positive work atmosphere by behaving and communicating in a manner that promotes cooperation with customers, clients, co-workers and managers.
- **Written Communication:** Writes clearly, logically and effectively using proper style, tone, grammar, spelling and punctuation. Written work products are appropriate to the intended audience

- **Flexible at Work:** Responds positively to changes in direction, priorities, responsibilities, personnel or assignments. Works effectively in a variety of situations and with a variety of individuals or groups. Maintains composure and displays restraint when faced with opposition, stress, or hostility from others.
- **Working with Others:** Relates to others in an open and accepting manner; is approachable. Offers and accepts opinions constructively. Adjusts to how individuals and the work unit will react. Treats others with respect. Constructively resolves disagreements. Is open to others' ideas and gives credit and recognition to others. Strives to create a positive work climate and energizes and inspires others to do their best.
- **Responsive to Work Needs:** Willing to perform different jobs, cross train, or assist wherever needed. Is aware of co-worker workload and responds accordingly.
- **Initiative:** Suggests improvements and new ideas, technologies and approaches to the workflow and Division needs. Willingly applies new and evolving ideas, methods, designs and technologies as changes arise in the office.
- **Efficiency and Focus:** Uses time effectively and prioritizes tasks. Is aware of workload and makes appropriate adjustments to meet deadlines and complete tasks. Handles interruptions or distractions and stays on task. Achieves goals.
- **Accuracy:** Ensures accuracy of work and makes corrections in a timely manner. Is conscientious and monitors own quality of work.
- **Attendance:** Arrives on time for work and demonstrates good attendance record.
- **Organizational Awareness:** Understands and follows the rules, policies and laws that govern work. Identifies key decision-makers; understands and respects the balance of authority. Acts in accordance with the State Ethics policy. Represents self and the office in a professional manner.

Education:

Check the one box indicating minimum education requirements for this position for a new employee the first day of work:

- | | |
|--|--|
| <input type="checkbox"/> No education required | <input type="checkbox"/> Related AAS/2-years college/vocational training |
| <input type="checkbox"/> High school diploma or equivalent | <input type="checkbox"/> Related Bachelor's Degree |
| <input checked="" type="checkbox"/> 1-year related college/voc. training | <input type="checkbox"/> Related Master's degree |

Please specify the acceptable and related fields of study:

Required/Acceptable:

Related: Other education, training, certification, or licensing required (specify):

Experience:

Check the one box indicating minimum work-related experience requirements for this position for a new employee the first day of work:

- | | |
|---|--|
| <input type="checkbox"/> No prior experience required | <input type="checkbox"/> 3 to 4 years |
| <input checked="" type="checkbox"/> 1 to 2 years | <input type="checkbox"/> 5 or more years |

Other specific experience (optional):

Alternative Qualifications:

This agency will accept alternative methods of obtaining necessary qualifications.

☐ Yes ☐ No

Alternative qualifications include:

SECTION IV – Other Important Job Information

Work is performed in a normal office environment, and the position requires the ability to communicate effectively in person, in writing, and over the phone. Work hours vary in complying with numerous deadlines, customer requests, interruptions and wide fluctuations in work volumes, and deadlines require the employee to be able to work under pressure for long periods of time.

SECTION V – Signatures

My signature below (typed or hand written) indicates the statements in Section I to IV are accurate and complete.

Employee:

Name: _____ Title: _____

Signature: _____ Date: _____

Immediate Supervisor:

Name: _____ Title: _____

Signature: _____ Date: _____

Deputy:

Name: _____ Title: _____

Signature: _____ Date: _____

Department Designee:

Name: _____ Title: _____

Signature: _____ Date: _____